

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel FLAMMANG

Appl. No. 09/586,942

Confirmation No.: 6577

Filed: June 2, 2000

For: ELECTRODE LEAD WITH
MULTIPLE BRANCHES (as
amended)

Art Unit: 3762

Examiner: F. OROPEZA

Atty. Docket No. 31512-172579

Customer No.

26694

PATENT TRADEMARK OFFICE

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REQUEST FOR REINSTATEMENT OF THE APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Filed concurrently herewith is a one-month extension of time so that the response date to the Office Action mailed January 6, 2004 is extended to May 6, 2004. This paper is to expressly request reinstatement of the appeal, and treatment of the accompanying SUPPLEMENTAL BRIEF as the brief for purposes of the Examiner's Answer.

On November 25, 2002, Applicant filed an APPEAL BRIEF (in triplicate) with the requisite Brief on Appeal Fee of \$320.00. For the record, Applicant believes that it is appropriate to set forth the following chronology.

EXPLANATION OF CHRONOLOGY

Applicant initially filed a NOTICE OF APPEAL with fee on September 27, 2002 with the necessary Notice of Appeal fee of \$320.00. As stated above, the BRIEF was filed on November 25, 2002 with fee.

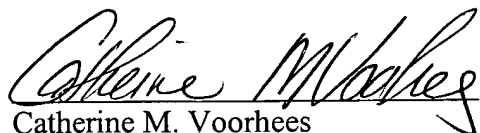
The Examiner withdrew the finality of the Action to address additional issues under 35 U.S.C. 112, second paragraph. In response, Applicant filed an Amendment on June 10, 2003 amending claims 20 and 23 and adding new claim 26. The Examiner finally rejected the claims in a July 22, 2003 Office Action by adding U.S. Patent No. 4,726,379 to the previous combination. On October 22, 2003, Applicant submitted an Amendment After Final Rejection that was not entered by the Examiner. Accordingly, a Request for Continued Examination was filed to enter the Amendment After Final Rejection that was filed on October 22, 2003 to clarify the function of the structure of claim 20.

In response, the Examiner issued a non-final Office Action rejecting the claims with the same combination of references as in the July 22, 2003 Office Action. Thus, the claims have been rejected twice and reinstatement of the appeal is requested.

In Applicant's view no fee is required. However, should an additional fee be required than the amounts paid to the U.S. PTO earlier, the U.S. PTO is authorized to charge Deposit Account 22-0261, for purposes of maintaining the pending status of this application.

Respectfully submitted,

Date: April 7, 2004



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